

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3968 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

K D PANDYA

Versus

STATE OF GUJARAT

Appearance:

MR YOGESH S LAKHANI for Petitioner

MR PRASHANT G DESAI for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 04/11/1999

ORAL JUDGEMENT

1. An affidavit has been filed in the court today and the Under Secretary is present on behalf of the respondents. Though the respondents are unable to give satisfactory explanation to the document annexure 'H' at page No.70 and relevant portion at page No.71 thereof but as this matter pertains to the pay anomaly it is stated in the affidavit that the petitioner may be directed to first approach to the Pay Anomalies Committee constituted

under the Government Resolution No. PGR-1098-34-M dated 20th May, 1998 of the Finance Department.

2. I find sufficient merits in this contention of Shri P.G. Desai. The Pay Anomalies Committee continues and it is working. If ultimately the Pay Anomalies Committee accepts the grievance of the petitioner and accordingly the anomaly in the revised pay scale of 1987 is accepted then the Government will consider the matter and accordingly correct the previous revised pay scale of the petitioner. One of the Pay Committee has also suggested the Government accordingly.

3. This special civil application, at this stage, is disposed of in the terms that for the grievance made in this special civil application, the petitioner may approach to the Pay Anomalies Committee aforesaid and it is expected of the said Committee to take care of the matter. However, liberty is granted to the petitioner for revival of this special civil application by filing a simple note in case (i) where the Pay Anomalies Committee declined to entertain the representation of the petitioner, (ii) where the Pay Anomalies Committee is not accepting the claim of the petitioner and (iii) where in case the Pay Anomalies Committee makes any recommendation in favour of the petitioner and the same has not been accepted by the State Government. The special civil application and Rule stand disposed of accordingly.

zgs/-